

### **REMARKS**

The non-final Office Action dated December 1, 2005 has been received and its contents carefully studied. Reconsideration of the rejections of the claims is respectfully requested in view of the present remarks and amendments.

Claims 1-16 are pending, and the independent claims are claims 1 and 12. Dependent claims 5 and 16 are indicated to be allowable if put in independent form.

Independent claims 1 and 12 are rejected as being anticipated under 35 U.S.C. § 102(e) from *Feldis* (U.S. Patent Application No. 2003/0007078A1). Please note that independent claims 1 and 12 were previously rejected on July 14, 2005 as obvious from *Feldis* in view of another reference.

Applicant now amends claims 5 and 16 by placing them in independent form.

#### **Claims 1 and 12 are Not Anticipated or Suggested by *Feldis***

Regarding the free-to-edit tag of present claim 1, the Office Action cites paragraphs 32-34 of *Feldis*, and also cites FIG. 2 of *Feldis*. However, *Feldis* specifically states that if the “field does not contain any tag, then . . . the user may edit” (see paragraph 38 of *Feldis*). *Feldis* thus teaches away from present claims 1 and 12, which both say that the user can edit the picture “only if the free-to-edit-tag is included in the picture.”

Paragraphs 32-34 of *Feldis* disclose that editing may occur if a tag is present, but does not forbid editing if the tag is absent. That is what present claims 1 and 12 do.

The present claimed invention is extremely useful, because, for example, pictures will be safeguarded against editing unless permission to edit is affirmatively granted by a free-to-edit-tag. Thus, for instance, copyrighted material will be much more carefully protected according to the present invention than according to *Feldis*.

**New Claim 17**

Applicant now adds a new claim 17, which is the same as claim 1, except that it includes a free-to-edit-and-free-to-not-edit tag instead of a free-to-edit tag. This limitation is fully supported by the specification as originally filed, and introduces no new matter. The tag described in the specification “permits” a user to edit (see page 8, line 8), which means that the user is free to edit and is also free to not edit. The tag of the present invention does not command the user to edit; instead, any edits are made at the user’s command rather than at the command of the tag (see abstract). Again, Applicant respectfully submits that *Feldis* does not describe anything like this.

**CONCLUSION**

Because the cited reference does not teach or suggest critical elements of the present independent claims 1 and 12, it is respectfully submitted that those claims are novel and patentable. Also, amended claims 2-11 and 13-16 are now in condition for allowance because they all include the limitations of allowed claims 5 and 16. Furthermore, Applicant also respectfully submits that new claim 17 should be allowed. Applicant would be grateful if the Examiner would please contact Applicant’s attorney by telephone if the Examiner detects anything in the present response that might hinder a speedy allowance.

Respectfully submitted,



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January 24, 2006  
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